

REMARKS

The office action issued by the Examiner and the citations referred to in the office action have been carefully considered. Allowed claim 15 has been amended as set forth above to include proper antecedent basis for the sides of the tenons. This line was inadvertently omitted in the prior amendment. Claim 15 is believed to be allowable as amended.

DRAWINGS

The drawings were objected to for using reference character "62" to designate both the anchor bar and a "pin". Applicant thanks the examiner for identifying this typographical error in the drawing. Replacement Figure 7 corrects this error by identifying the "pin" as screw 82, consistent with the specification at page 9, line 18.

REJECTION UNDER 35 USC § 103

Claims 19, 30, and 31 stand rejected over Endelman '425 and Endelman 2003/0195095, which is now U.S. Patent No. 6,971,976 ('976). Claim 19 states:

An anchor bar and carriage stop assembly for use in a reformer apparatus having a movable carriage mounted on parallel track members, the assembly comprising:

each said track member having an elongated tubular shape and a longitudinal axis, each track member having an elongated slot **through a wall of the tubular shape** and extending parallel to the longitudinal axis of said track member; and

an anchor bar having opposite ends, each end extending into the elongated slot in one of the track members, wherein **each said elongated slot has a plurality of spaced notches** forming anchor bar stop portions engaging the end of the bar to prevent movement along the slot when the anchor bar is in a locked position in one of the notches and a wheel attached to each end of the anchor bar **in the tubular track member** to center the end in the slot. (Emphasis added)

Endelman '425 does NOT disclose a tubular track or rail. Endelman '425 does not disclose a slot **through a wall of the tubular shape**. As previously pointed out to the Examiner, the rails are solid as shown in Figure 5. The Examiner asserts Endelman '976 as disclosing wheels in the tracks. The examiner is respectfully requested to note that these wheels are wheels

on the carriage 20 and these wheels do NOT ride within a slot through a wall the **tubular** track. On the contrary, the frame in '976 is an extrusion having a tubular portion 94 (see Fig. 5) and the wheels are outside the tubular portion 94. Further, there is no anchor bar in the '976 patent. The springs in the '976 patent are anchored to the foot end 16 of the frame 12 instead of an anchor bar. The teachings of the '976 patent cannot be combined with the teachings of the '425 patent as asserted by the examiner. The Examiner has shown no justification for such a combination. Each and every limitation in claim 19 is simply not shown in either the '425 or '976 patent. Therefore the Examiner has not set forth a *prima facie* obviousness rejection. The rejection of claim 19 should therefore be withdrawn.

Claim 30 states:

An exercise apparatus comprising:

a generally rectangular frame having a head end and a foot end and including a pair of spaced apart parallel track members between the ends;

a movable carriage mounted on said frame for movement along said track members;

a plurality of elongated elastic members extending between said carriage and said foot end of said frame;

an elastic member anchor bar and carriage stop assembly mounted to the track members having **an anchor bar supported within the track members** adjustably anchoring said plurality of elastic members to the anchor bar; and

a guide means in the track member for preventing binding of the anchor bar in the track member.

Endelman '425 discloses an anchor bar and carriage stop assembly but does not have an anchor bar supported **within** the track members. The assembly in Endelman '425 is mounted on top of the track members 18. See Figures 5 and 6. Endelman '976 does not teach an anchor bar at all. The anchor for the springs 24 is the foot end 16 of the frame 12. There is no suggestion in either reference of supporting a spring anchor bar within the track members. The wheels disclosed in both Endelman '425 and Endelman '976 permit the carriage 20 to move toward and away from the spring anchor, whether it be the foot end 16 in '976 or anchor bar 62 in '425. Each and every limitation in claim 30 is simply not shown in either the '425 or '976 patent. There is no suggestion in either reference for making the claimed combination. Therefore it is

respectfully submitted that the Examiner has not set forth a prima facie obviousness rejection of claim 30. This rejection of claims 30 and 31 should be withdrawn.

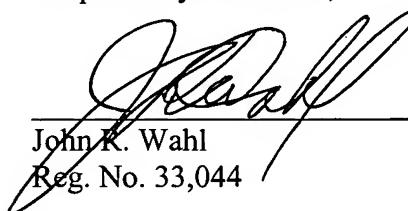
New claims 37 and 38 are added. These claims are also clearly patentable over the prior art.

CONCLUSION

Claims 15, 19, 30, 31, and 37-38 are now pending in the application. This amendment is believed to be responsive to all points raised in the Office Action. Accordingly, prompt allowance and passage of the application to issue are earnestly solicited. It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance.

The examiner is urged to contact the undersigned attorney by telephone at the number below should there remain any additional issues or concerns. The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 75886.010300 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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